

## **REMARKS**

Claims 1-20, 22-31, 33-53, and 55-61 have been amended to correct punctuation errors and to more clearly claim the subject matter of the invention. No claims have been added or cancelled. Claims 1-61 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Section 112, Second Paragraph, Rejection:**

The Office Action rejected claim 3 under 35 U.S.C. § 112, second paragraph as indefinite for reciting the term “code mechanism”. In order to conform the claims to the specification, Applicants have amended claims 3, 15, 20, 31, 41, 49 and 53 to replace instances of the term “code mechanism” with the term “core mechanism”, which is used in the specification.

Applicants submit that the rejection of claim 3 under 35 U.S.C. § 112, second paragraph, has been overcome, and respectfully requests removal of the rejection.

### **Section 103(a) Rejection:**

The Office Action rejected claims 1-5, 7, 11-15, 18-21, 26-32, 36-41, 44-49, 51-54 and 58-61 under 35 U.S.C. § 103(a) as being unpatentable over Ramanathan et al. (U.S. Patent 6,182,136) (hereinafter “Ramanathan”) in view of Badovinat (U.S. Patent 5,896,503), claims 6, 10, 16 and 22 as being unpatentable over Ramanathan in view of Badovinat and Northrup (U.S. Patent 6,671,746), and claims 8, 9, 24, 25, 34, 35, 42, 43, 56 and 57 as being unpatentable over Ramanathan in view of Badovinat and Baratz (U.S. Patent 5,109,483), as well as Cederqvist, et al., 1993 (hereinafter “Cederqvist”). Applicants respectfully traverse these rejections for at least the following reasons.

The Office Action rejects claims 1, 13, 18, 29, 39, 47, 51, 59, 60 and 61 under 35 U.S.C. § 103(a) as being unpatentable over Ramanathan in view of Badovinat.

Regarding claim 1, contrary to the Examiner's assertion, Ramanathan in view of Badovinatx fails to teach or suggest program instructions executable within a device to obtain one or more mechanisms for accessing a set of peer-to-peer platform resources from one or more peer nodes on the network, wherein the one or more peer nodes participate in a peer-to-peer environment on the network to discover each other, communicate with each other, and cooperate with each other to form peer groups and share content. Instead, Ramanathan discloses a discovery process for enabling automated detection of service elements and/or services that are utilized by a specific network to provide a particular service (col. 5, lines 52-55). In addition, nowhere does Ramanathan in view of Badovinatx teach or suggest program instruction that are executable within a device to access a set of peer-to-peer platform resources using the one or more obtained mechanisms to participate as a peer node in a peer-to-peer environment. Further, nowhere does Ramanathan in view of Badovinatx teach or suggest program instruction that are executable within a device to obtain mechanisms that allow services to discover each other, communicate with each other, and cooperate with each other to form peer groups and share content. Instead, Ramanathan teaches that the detected service elements and/or services are used in the performance of a particular core service among various services offered by a network. This is clearly described in Ramanathan, col. 3, lines 55-65:

A method and system for discovering elements which cooperate in the performance of a core service among various services offered by a network include selecting the core service of interest and forming a discovery template that is specific to the selected core service. The discovery template includes data relevant to triggering selected discovery routines for acquiring information that identifies services and service elements that are anticipated as being cooperative in execution of the core service.

Applicants also note that the only place in Ramanathan that peer-to-peer networking is mentioned is in the Background Art, in col. 1, lines 20-25:

However, a current trend in network design is to provide a topology that enables distributed processing and peer-to-peer communications. Under

this topology, network processing power is distributed among a number of network sites that communicate on a peer-to-peer level.

Nowhere in the Summary, Description, Claims or Abstract does Ramanathan teach or suggest a “device of discovering services in a peer-to-peer environment”, as the Examiner implies. Instead, as previously cited, Ramanathan discloses a discovery process for enabling automated detection of service elements and/or services that are utilized by a specific network to provide a particular service (col. 5, lines 52-55). Further note that Badovinatx does not mention peer-to-peer networking at all. Badovinatx describes a mechanism for managing membership of a domain of one or more processors in a distributed computing environment. Nowhere does Badovinatx teach or suggest that this mechanism may be used for accessing a membership service for applying for membership in accordance with a peer membership protocol in one or more peer groups each comprising a set of cooperating peer nodes.

Thus, Ramanathan and Badovinatx, both singly and in combination, fail to teach or suggest a system and method for obtaining mechanisms for accessing a set of peer-to-peer platform resources from one or more peer nodes on a network and for accessing the set of peer-to-peer platform resources using the mechanisms to participate as a peer node in a peer-to-peer environment.

Thus, for at least the reasons presented above, the rejection of claim 1 is not supported by the cited prior art and removal thereof is respectfully requested. Similar remarks as those above regarding claim 1 also apply to claims 13, 18, 29, 39, 47, 51, 59, 60 and 61.

Applicants also assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

**Information Disclosure Statement:**

Applicants submitted an information disclosure statement and accompanying Form PTO-1449 on November 6, 2003. Applicants respectfully request the Examiner to carefully consider the references and return a copy of the initialed and signed Form PTO-1449 from this statement.

## CONCLUSION

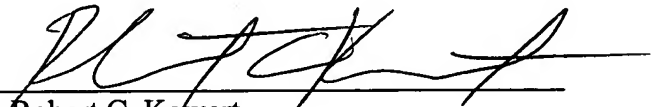
Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicants hereby petition for such extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-07600/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$  
for fees (        ).
- ☐ Other:

Respectfully submitted,



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